

# **MINUTES**

**THE REGULAR MEETING OF THE  
BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI  
May 26, 2015**

## **INTRODUCTORY**

The Board of Aldermen of the City of Branson, Missouri, met in regular session in the Council Chambers of the City Hall on May 26, 2015, at 7:00 p.m. Mayor Best called the meeting to order with the "Pledge of Allegiance" and Garrett Anderson gave the invocation.

## **ROLL CALL**

City Clerk Westfall called roll: Mayor Best presiding, Mike Booth, Rick Todd, Cris Bohinc, Rick Davis and Bob Simmons. Absent: Patrick Parnell.

Also present from the City were: City Administrator Bill Malinen, City Clerk Lisa Westfall, City Attorney William Duston, Public Works Director and City Engineer David Miller, IT Director Chad Forster, Police Chief Kent Crutcher, Parks and Recreation Director Cindy Shook, Utilities Director Mike Ray, Economic Development Director Garrett Anderson, Fire Chief Ted Martin and Human Resources Director Jan Fischer.

## **EMPLOYEE OF THE MONTH**

Alderman Todd presented Norlene Hillier of the Human Resources Department as the May Employee of the Month in recognition for displaying the City of Branson Values of Integrity, Excellence, Accountability and Courtesy.

## **PUBLIC COMMENT**

Mayor Best began the Public Comments section of the Board of Aldermen meeting by stating the Board would hear citizens that signed the Speaker's Sheet in the order they are listed on the sheet.

There were no speakers this evening.

## **CONSENT AGENDA**

Mayor Best asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Best asked if any member of the Board had any items they wished to have removed from the Consent Agenda. Alderman Booth requested Item Numbers 5 and Item Number 7 be removed from the Consent Agenda and placed as the first and second items on the Regular Agenda. Mayor Best asked City Clerk Westfall to read the items on the Consent Agenda as amended. City Clerk Westfall read the following Consent Agenda items by title.

Approval of Board of Aldermen Minutes:

- a) May 7, 2015 Study Session
- b) May 12, 2015 Regular Meeting

Acknowledge Receipt of Minutes:

- a) Tree Board meeting of January 7, 2015

**BILL NO. 4743**

**Ord. No. 2015-0057**

**Accepting the proposal of ACS Building Services for the purchase of a video surveillance system replacement for the City of Branson.**

Final Reading of Bill No. 4743, an ordinance accepting the proposal of ACS Building Services for the purchase of a video surveillance system replacement for the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried. Ordinance No. 2015-0057 was duly enacted.

**BILL NO. 4744**

**Ord. No. 2015-0058**

**Approving an amendment to the agreement with DeLong Plumbing Two, Inc. pertaining to the HVAC maintenance and repairs at various city buildings.**

Final Reading of Bill No. 4744, an ordinance approving an amendment to the agreement with DeLong Plumbing Two, Inc. pertaining to the HVAC maintenance and repairs at various city buildings and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried. Ordinance No. 2015-0058 was duly enacted.

**BILL NO. 4746**

**Ord. No. 2015-0060**

**Approving a contract with Arvest Bank for renewal of purchasing card services.**

Final Reading of Bill No. 4746, an ordinance approving a contract with Arvest Bank for renewal of purchasing card services and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried. Ordinance No. 2015-0060 was duly enacted.

**BILL NO. 4748**

**Ord. No. 2015-0062**

**Regarding state requirements for financial interest disclosure for municipal officials.**

Final Reading of Bill No. 4748, an ordinance regarding state requirements for financial interest disclosure for municipal officials was read by title by City Clerk Westfall. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried. Ordinance No. 2015-0062 was duly enacted.

Mayor Best opened the floor for a motion to approve all items on the Consent Agenda as amended. Alderman Todd moved to approve, seconded by Alderman Booth. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

# REGULAR AGENDA

**Alderman Booth left the meeting at 7:07 p.m. due to his conflict of employment with Ozark Mountain Bank.**

**BILL NO. 4745**

**Ord. No. 2015-0059**

**Approving a contract with Ozark Mountain Bank for renewal of banking services.**

Final Reading of Bill No. 4745, an ordinance approving a contract with Ozark Mountain Bank for renewal of banking services and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Mayor Best asked for a motion approving Bill No. 4745. Alderman Davis moved to approve, seconded by Alderman Bohinc. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell and Booth. Motion carried. Ordinance No. 2015-0059 was duly enacted.

**Alderman Booth returned to the meeting at 7:08 p.m.**

**BILL NO. 4747**

**Ord. No. 2015-0061**

**Amending the adopted 2015 Budget for the City of Branson to adjust monies for the Tourism Fund.**

Final Reading of Bill No. 4747, an ordinance amending the adopted 2015 Budget for the City of Branson to adjust monies for the Tourism Fund was read by title by City Clerk Westfall. Mayor Best asked for a motion approving Bill No. 4747. Alderman Bohinc moved to approve, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Todd, Bohinc and Simmons. Nays: Davis. Absent: Parnell. Motion carried. Ordinance No. 2015-0061 was duly enacted.

**RESOLUTION NO.**

**2015-R016**

**Acknowledging the City's current commitment of funds to the Highway 76 Complete Streets Project and authorizing CFS Engineers, P.A. to prepare a U.S. Department of Transportation's, Transportation Investment Generating Economic Recover (TIGER) VII Grant Application for the 76 Project.**

A Resolution acknowledging the City's current commitment of funds to the Highway 76 Complete Streets Project and authorizing CFS Engineers, P.A. to prepare a U.S. Department of Transportation's, Transportation Investment Generating Economic Recover (TIGER) VII Grant Application for the 76 Project was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Best asked for a motion adopting the resolution. Alderman Davis moved to adopt, seconded by Alderman Todd. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Mayor Best called for a vote on the Resolution. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried. Resolution No. 2015-R016 was adopted.

**BILL NO. 4749**

**Accepting the proposal of Kimberling City Tire Company, Inc. pertaining to tires, tubes and services.**

First Reading of Bill No. 4749, an ordinance accepting the proposal of Kimberling City Tire Company, Inc. pertaining to tires, tubes and services and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Keith Francis. Mayor Best asked for a motion approving Bill No. 4749. Alderman Bohinc moved to approve, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

**BILL NO. 4750**

**Accepting the proposal of B & L Outdoor Power Equipment pertaining to the purchase of a 61" Zero-Turn Scag Turf Tiger riding mower and a 52" Zero-Turn Scag Turf Tiger riding mower.**

First Reading of Bill No. 4750, an ordinance accepting the proposal of B & L Outdoor Power Equipment pertaining to the purchase of a 61" Zero-Turn Scag Turf Tiger riding mower and a 52" Zero-Turn Scag Turf Tiger riding mower and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Keith Francis. Mayor Best asked for a motion approving Bill No. 4750. Alderman Simmons moved to approve, seconded by Alderman Davis. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

**BILL NO. 4751**

**Approving a Funding Agreement with the Missouri Department of Health and Senior Services regarding reimbursement of cost to the City of Branson for the purchase of fluoride monitoring equipment.**

First Reading of Bill No. 4751, an ordinance approving a Funding Agreement with the Missouri Department of Health and Senior Services regarding reimbursement of cost to the City of Branson for the purchase of fluoride monitoring equipment and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Mike Ray. Mayor Best asked for a motion approving Bill No. 4751. Alderman Todd moved to approve, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

**BILL NO. 4752**

**Accepting the proposal of Analytical Technology, Inc. for fluoride ion meters.**

First Reading of Bill No. 4752, an ordinance accepting the proposal of Analytical Technology, Inc. for fluoride ion meters and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Mike Ray. Mayor Best asked for a motion approving Bill No. 4752. Alderman Booth moved to approve, seconded by Alderman Davis. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

**BILL NO. 4753**

**Approving an Intergovernmental Funding Agreement with Taney County for reimbursement to the City of Branson for engineering and design costs of a flow equalization tank to be constructed at Lift Station No. 21.**

First Reading of Bill No. 4753, an ordinance approving an Intergovernmental Funding Agreement with Taney County for reimbursement to the City of Branson for engineering and design costs of a flow equalization tank to be constructed at Lift Station No. 21 and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Mike Ray. Mayor Best asked for a motion approving Bill No. 4753. Alderman Bohinc moved to approve, seconded by Alderman Davis. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

#### **BILL NO. 4754**

##### **Approving a Pre-Annexation Agreement for the property owned by Delbert Haney and Gayla Haney located at 165 Warehouse Drive in Branson Warehouse Center.**

First Reading of Bill No. 4754, an ordinance approving a Pre-Annexation Agreement for the property owned by Delbert Haney and Gayla Haney located at 165 Warehouse Drive in Branson Warehouse Center and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Mike Ray. Mayor Best asked for a motion approving Bill No. 4754. Alderman Simmons moved to approve, seconded by Alderman Davis. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

#### **BILL NO. 4755**

##### **Approving an amendment to the agreement with Prolawn & Landscapes, LLC, pertaining to mowing and weedeating for the City.**

First Reading of Bill No. 4755, an ordinance approving an amendment to the agreement with Prolawn & Landscapes, LLC, pertaining to mowing and weedeating for the City and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Cindy Shook. Mayor Best asked for a motion approving Bill No. 4755. Alderman Todd moved to approve, seconded by Alderman Bohinc. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

## **APPOINTMENTS**

There were no appointments this evening.

## **MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS**

Alderman Simmons said he attended an Advisory Park Board meeting and reported the 10<sup>th</sup> Anniversary Pool Party scheduled last weekend was cancelled due to the rain. He provided an update on the Lakeside Forest Wilderness Area improvements and mentioned CFS Engineers have agreed to volunteer their time to install plexiglass windows in preparation for an event. Alderman Simmons announced there will be a park tour in June.

Alderman Davis said due to the rain recently, the park trails are overgrown with shrubbery and need to be trimmed. He inquired if the City has a dedicated flood gage instrumentation to provide the Army Corps of Engineers with real time information on lake water levels in town. Alderman Davis mentioned reading the Spirit of Highway 76 Project response to frequently asked questions and feels the document was well written and easy to understand, but the potential for this project in terms of the increase in people along the Highway 76 Corridor was not as evident as he believes it should be.

Alderman Todd commented on a recent incident that occurred in Waco, Texas, in which there were fatal shootings involving motorcycle gangs. He stated the incident occurred in broad daylight and law enforcement officials were even prepared for potential issues. Alderman Todd reported there was a motorcycle rally held in Branson recently and there are other rival motorcycle gangs nearby in other cities in Missouri and Arkansas. He added, there have been skirmishes between motorcycle gangs in Missouri in the past and he expressed his concern for potential motorcycle gang activity in Branson. Alderman Todd stated he feels the City's Police Department should be trained on how to respond to these types of incidents and he asked Administrator Malinen and Police Chief Crutcher if they could coordinate training sessions on this topic. Alderman Davis said he appreciates Alderman Todd bringing this to everyone's attention and agreed the Police Department should receive training on this issue.

Alderman Booth commented he would like to be sensitive to the motorcycle groups consisting of good, law-abiding citizens and said they are welcome to Branson. He said regarding the Historic Downtown Streetscape Project, he spoke to a new business owner who had received misinformation about the downtown project and was under the impression the parking areas were going to be removed. He encouraged everyone to correct people if they have received false information about the Historic Downtown Streetscape Project.

Administrator Malinen mentioned attending the Country Bluff Neighborhood Walk which went well and there was a good turnout. He stated Mayor Best, Public Works Director and City Engineer Miller, Assistant Public Works Director Francis and himself went on a trip to Kansas City, Missouri, in which they had the opportunity to speak with the council that runs their Downtown Community Improvement District. He reported also meeting with other stakeholders in their downtown area including the Mayor, City Manager and Assistants who discussed their relationship with their CIDs, economic development and recruitment. Administrator Malinen mentioned gathering ideas for light pole ideas for the project which will be discussed at future team meetings. He said there have been safety concerns pertaining to trollies and the project plans have been altered to address these concerns. Alderman Booth inquired if the trolley stop would be covered to help protect people from the weather.

Mayor Best mentioned speaking at the Branson-Hollister Rotary Club meeting and the Daybreakers Rotary Club meeting regarding her first 30 days in office. She stated she welcomed the Veterans FAM group, spoke to the Divas Half Marathon and 5K Series runners and the Vietnam Veterans Memorial Day tribute, attended the Small Business, Charity and Ozark Mountain Hospitality of the Year Awards Dinner and the Chamber of Commerce Business After Hours. She thanked Administrator Malinen, Public Works Director and City Engineer Miller and Assistant Public Works Director Francis for the trip to Kansas City, Missouri, and feels the knowledge gained will help save the City a lot of time and money. Mayor Best added, she has met with developers, people interested in bringing special events to Branson and Department Directors.

## **EXECUTIVE SESSION**

Mayor Best asked for a motion to adjourn into a closed Executive Session. Alderman Davis moved to go into Closed Executive Session pursuant to 610.021.1 RSMo for litigation and 610.021.3 RSMo for personnel, seconded by Alderman Bohinc. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried.

## **ADJOURN**

Mayor Best asked for a motion to adjourn. Alderman Davis moved to adjourn, seconded by Alderman Todd. Voting aye: Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Absent: Parnell. Motion carried. Meeting adjourned at 8:04 p.m.

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Karen Best  
Mayor

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Lisa Westfall  
City Clerk